[27th January 1931

* Mr. BASHEER AHMED SAYEED:—" I move, Sir

'*that the Bill to validate the constitution of the sessions divisions of East and West Tanjore be referred to a Select Committee consisting of the following persons:—*

1. The hon. the Law Member.
2. Mr. Nadimuthu Pillai.
3. Mr. K. S. Sivasubramanya Ayyar.
4. Mr. Sami Venkatachalam Chetti.
5. The Advocate-General.
6. Mr. K. P. Raman Menon.
7. Mr. R. Madanagopal Nayudu.
8. Diwan Bahadur M. Gopalaswami Mudaliyar.
9. Mr. V. P. Narayanan Nambiyar.
10. Mr. T. S. Ramaswami Ayyar.
11. Rao Bahadur C. Natesa Mudaliyar.
12. Mr. N. Sivaraj.
13. Mr. K. Koti Reddi.
14. Mr. Basheer Ahmed Sayeed ".

Mr. SAMI VENKATACHALAM CHETTI:—" I second it."

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I oppose that motion. As a matter of fact there is only one section in this Bill. The object of that section is to validate the existence of both these courts. I do not understand what there is in the Bill for the consideration of a Select Committee. I submit it is necessary to have this passed into law as early as possible. As I told my friend, Mr. Sami Venkatachalam Chetti, in connection with another matter, if it is really necessary for the Bill to go to a Select Committee I would not have the slightest objection. I see, however, no necessity for the Bill going to the Select Committee."

The motion was put and lost.

The main motion that the Bill be taken into consideration at once was put and carried.

Clauses 1, 2 and 3 of the Bill were then put, passed and added to the Bill.

The preamble was then put, passed and added to the Bill.

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I now move that the Bill be passed into law."

The hon. Mr. H. G. STOKES:—" I second it."

The motion was carried and the Bill was passed into law.

XIV.—THE MADRAS MOTOR VEHICLES TAXATION BILL (Bill No. 2 of 1931.)[a]

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—" I beg to introduce the Madras Motor Vehicles Taxation Bill. The object of the Bill is to abolish the toll-gates and to levy a provincial tax on

[a] Published in the *Fort St. George Gazette*, dated 20th January 1930.

motor vehicles, the proceeds being used to compensate the district boards and the municipal councils for the loss of income they will suffer by such abolition. At present municipal councils are levying tax on carts and other non-motor vehicles. With regard to non-municipal areas, there will be taxation only by village panchayats. It is open to the village panchayats if and when they consider it necessary to suggest any such taxation, and that taxation will be liable to sanction by the Government or officers authorized by Government. It is provided that the first charge on proceeds of tax under the Act will be the district boards, and municipal councils, claim for compensation. Any surplus will be devoted solely for improvement and maintenance of roads in the Presidency of Madras. Tolls have been considered as a nuisance by all. The Jayakar Committee has recommended that toll-gates should be abolished as early as possible. In pursuance of the recommendations of that Committee I am introducing this Bill."

At this stage the House rose for lunch.

After Lunch (2-30 p.m.).

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—" Sir, in continuation of what I said this morning, I move that the Bill be referred to a Select Committee."

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I second it."

* Mr. T. M. NARAYANASWAMI PILLAI:—" Mr. President, Sir, no doubt everybody welcomes a Bill of this kind. Everybody feels that the levy of tolls is a nuisance. But I am not sure whether the Bill will not place the local bodies under a handicap. The hon. the Chief Minister explained to us that it is proposed under this Bill to compensate local boards and municipal councils for the loss of income on motor vehicles. The local bodies are now getting tolls not only on motor vehicles but also on other vehicles. Now, the section that deals with this is section 10, and it appears to me that it deals only with the provincial tax on motor vehicles. Now, I would request the Government to let us know whether they are going to compensate the local bodies only to the extent of the income which these local bodies were deriving from motor vehicles or to the extent of the total toll income which they were deriving, namely, tolls on motor vehicles as well as on other vehicles. Anyhow, section 10 which deals with this matter does not make it clear. Unless the Local Government make up their minds to compensate for the loss of toll income both on motor and other vehicles, we shall be in a very difficult position. Now, the demands that are made upon us are increasing day by day, and we find even the present toll income insufficient to meet those demands. That being the case, even if a small portion of that income of ours is sought to be taken away, I think we shall find it very difficult to carry on our administration. Therefore, I want the Government to let us know whether they are going to compensate us to the extent of the average total toll income we have been getting for the past three years.

[Mr. T. M. Narayanaswami Pillai] [27th January 1931

"The Bill says 'There shall be a provincial tax on motor vehicles. There shall be a provincial tax on vehicles which will be levied and used by the panchayats.' Therefore, the income which the Local Government will be getting will be only the provincial tax on motor vehicles, and if it is their object to compensate us to the total extent of our toll income, I do not know whether they will be getting enough by provincial taxation so as to compensate us to the full extent. If they want to restrict themselves only to the income on motor vehicles, I do not know on what basis they are going to compute this income. I have no objection to the Bill being referred to a Select Committee provided the local boards and municipal councils are not placed under a handicap by a measure of this kind. I am anxious that there should be no tolls on motor vehicles as well as other vehicles, and at the same time I am also anxious that the local bodies should not be deprived of even a small portion of their present income, so that they may not be jeopardized in carrying on their administration. With these words, I do not oppose the motion."

* Sriman M. G. PATNAIK Mahasayo:—"Sir, the object of this Bill seems to be just to relieve people driving in motor cars of the annoyance of the hold-up at the toll-gates. There is no doubt that when this Bill is passed into law, the toll-gate contractor will not come in the way of motor cars which pass on the road. But, of course, there is a provision under which any police officer may detain any motor vehicle and call for the certificate of registration. It may be said that the police are already authorized under the Motor Vehicles Act to stop the cars and inspect them and to see if there are licences or not. Besides that, the police have now been given full power to seize and detain the car if the tax on it was not paid, and if all the fees and other charges are not paid within fifteen days, the car can even be sold. Now, you have got all such provisions in the Bill. Therefore, we want to know whether the annoyance which the people wish to avoid will not be greater under this Act than it was formerly.

"The second thing I want to know is whether this Bill does not empower the Government to realize more tax than they purport to do under this Bill. Section 14 clearly says that, with regard to roads and bridges 'made, improved or repaired' by the Government, Government can levy tolls. That is what is stated. We will have to mark those three words, 'made, improved or repaired.' So far as 'made' is concerned, you can easily understand it. But so far as 'improved' and 'repaired' are concerned, they are very loose words, and the administrative Government can interpret it in any way to suit their purposes they like. 'Improved' may mean that if they construct a small culvert on a road, it will be sufficient to levy tolls.

"Then, we are told that tolls should be abolished. If so, how will the Government meet the deficit? It can only be by reopening toll-gates on such roads by saying 'We have repaired or improved those roads.' Every trunk road is now repaired by the Government, and they will

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say under this Act 'We shall re-establish the tolls on these roads.' That will be the effect of the power reserved by Government under section 14. So, it has to be seen whether Government really intends to increase the taxation or not. On the face of it, it is not so clear whether Government wish to retain power to raise taxes. But when one goes deep into the matter, it seems very clear that they want to retain power for further taxation.

"Then, we shall see what happens to the tax on carts. Of course, the levy of tolls on motor vehicles will be stopped, and a provincial tax will be levied on them. With regard to trunk roads and other roads, they can easily take power to levy tolls by one notification, depriving local boards of their control over such roads under section 60 of the Local Boards Act. With regard to other vehicles, such as carts, there also, so far as I can see, the danger is very great. Of course, for some time those who own motor cars will be glad that they have to pay no tolls. So far as carts and other vehicles within municipalities are concerned, they are subject to a certain tax by the municipality, and they will thus suffer so far as the municipal area is concerned. I think there will be a heavy burden of tax upon carts and other vehicles even outside municipalities. For, now they are required to pay only tolls when they pass a certain toll-gate. It is not always that they pass through the toll-gate. Now, the power to levy a tax on carts and other vehicles is given to the panchayats. Well, they will be forced to levy that tax. Though it is said to be optional, in practice it will become compulsory. Because we know how Government will deal with it administratively. The panchayats are generally dependant on the Government for some grant or other. If they have not exercised the option to tax these carts and other vehicles, when they ask for a grant, the Government will say 'We will not give you the grant, because you have not exercised your option.' Thus, that option becomes really compulsion. That means that every cart or other vehicle within the panchayat areas will be required to pay tax. Now, they are not paying anything. Therefore, it will be a very heavy burden thrown upon them. Thus, all those who own carts and other vehicles who were paying a toll only when they passed through a toll-gate, will now have to pay a tax whether they pass through a toll-gate or not. Again, even in regard to owners of motor vehicles in the mufassal, I think they will be required to pay more. But it does not matter. Those people can afford to pay and therefore I do not quarrel with that. It is only in the case of the poor men that there is this difficulty. Therefore I want that we should carefully examine the provisions of the Bill in the Select Committee. 2-45 p.m.

"As regards the rates, I wish to say a few words. The Government have fixed some rates, but they may be modified at any time. When rates are attempted to be raised now, there will be hot discussion about it by the district board in the mufassal. I find that the only safeguard against any increase in the rates in the Bill is that six weeks'

[Sriman M. G. Patnaik Mahasayo] [27th January 1931

time is to be given to move resolutions against it in this House. That means it will be done subject to the veto of this House. That, in my opinion, is a poor safeguard.

" One other point I have to mention and it is this: on the question of the distribution of income from vehicles under this Bill, the local bodies are entirely at the mercy of the Government. They have very little voice in its distribution. This point also has to be considered especially in view of the fact that grants have been earmarked for the repair of trunk roads. So, any surplus available will go to the repair of trunk roads. For these reasons, I do not feel that much good will come out of this Bill except that people using fast-going vehicles will be rid of the nuisance of being stopped at the toll-gates although, of course, they will be stopped by policemen hereafter which might prove to be a greater nuisance comparatively speaking."

* Mr. A. T. Luker:—" Mr. President, I have to congratulate the hon. Minister for bringing forward this measure. I know this is being brought forward as a result of much thought over a series of months. Now, this Bill brings order out of chaos. The whole state of taxation in South India has been in a state of chaos for months and years and I must congratulate the hon. Minister once more on taking this bold step which, I am sure, will meet with the approval of every one here. Of course, there may be one or two minor details with which all Members may not agree. With those minor points the Select Committee can deal. On the main, I see nothing but praise for the main provisions of the Bill. It will enable a certain control to be exercised on the roads which has been wanting all these years. Under this Bill I can, however, see the time coming when much more money will be spent on roads and communications improved thereby giving an impetus to the spread of education in this country.

" A point has been made about the tax on other vehicles than motor vehicles. From a perusal of the Bill I find however that these other vehicles are not affected in any way. Some Members stated that there would be difficulty in showing the licence to the policemen. To that I may say that that difficulty can be easily met by exhibiting the licence by a disc as it is done in England and elsewhere.

" Sir, regarding the rates, many of us hoped that these would be much lower than what they are. I quite see the Government's point in putting a large proportion to the share of the district boards. Unfortunately, in this land, revenue has been taken from taxation on vehicles and used to build up towns, whereas in many other countries the towns are taxed for the improvement of roads. That is the difference between some parts of India and elsewhere. I am certainly hoping that in time to come these maximum rates may go down to a considerable extent. I feel sure that after these rates are worked for some months, the district boards will find that their revenue has in no way diminished, but has increased enabling them to spend large sums on the roads.

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"I am very pleased to see that the Bill has penalized vehicles with other than pneumatic tyres. I specially mention this because there has been much discussion about certain cars and vehicles. Now, most experts are agreed that the vehicles other than those fitted with pneumatic tyres cause more damage to roads and so it is only right that they should be penalized. I am sure my colleagues here will support me in this view. With these few words, on behalf of the Association I represent, I give the Bill my most hearty support."

* Mr. C. SATYANARAYANA CHOUDARI :—" Sir, I must join in the chorus of congratulations to the hon. Minister for being able to bring forward this Bill which seeks to remove a grievance from which the people have been suffering for a very long time. Sir, the tolls have been a source of chronic nuisance. They have caused much hardship to the people living in the villages and therefore the proposed abolition of tolls under this Bill will be heartily welcomed by the villagers. I really envy the position of the hon. Minister in being lucky enough to be able to bring forward a measure of this kind during his regime which will, I am sure, put the villagers under an eternal debt of gratitude to him. But, Sir, I must say that it does not go far enough and to the extent to which the villagers reasonably expect it to go. It still contains provisions which reserve some power to somebody to charge toll fees from poor villagers. I very much wish, Sir, that the hon. the Chief Minister introduces no provision reserving power to anybody to collect toll fees with reference to carts belonging to villagers. That is the principle which I would insist upon being accepted by the Government. Subject to this reservation, I support the principles underlying the Bill which seeks to abolish the tolls. The sooner these tolls are abolished and some more convenient and advantageous method is taken up the better for the people living in villages. Therefore, Sir, I would once again request the hon. Minister to remember this request on behalf of the people, namely, that under no circumstance should there be any power reserved to any authority whether village panchayat or taluk board to tax carts or to levy tolls on carts coming from villages carrying agricultural products."

* Mr. G. SIMHACHALAM PANTULU :—" Sir, this measure meets with unanimous approval because, there is no difference of opinion on this matter. But the difficulty the district boards are suffering from is this: they are not able to balance their budgets in the absence of the income from tolls. Now, the Government have stated that their budgets should be submitted before January and there is also this order that the tolls for this year will be sold in auction. So much so, if this Bill is to be considered, it has to be considered at the earliest opportunity so that there may be ample opportunities for the district boards to balance their budgets. At this stage I must bring to the notice of the House another difficulty to which the villagers are likely to be put. The hon. Mover has been appealed to by an hon. Member to exempt the villagers' carts bringing produce from the payment of cart fees. In my opinion this is not enough. It is also necessary to see that the villagers who take their relations in their carts from place to place are

not to be penalized. These are all *bona fide* purposes as people are not making any profit out of this. If this toll-gate system is considered to be a nuisance to motorists, it is not less so to the villagers. Therefore it is a tremendous task even for the Select Committee to show all possible concessions to the ryot population. As this Bill touches the pockets of the local bodies very much who depend on income from this source for very many items of their expenditure, to enable them to prepare their budgets, I suggest that it should be taken up very early and finished soon."

* **Mr. P. C. Muthu Chettiyar** :—"ஆனரபிள் மினிஸ்டர் முனிசாமி நாயுடுகாரு கொண்டுவந்த இந்த பில்லுக்கு நான் நன்றி பாராட்டுகிறேன். இது வெகு காலமாக இந்த அபிப்பிராயம் புதிய கௌன்ஸிலுக்கு உண்டாவதற்கு முன்னமே வருவதற்கு இவர் கொண்டுவர அதிர்ஷ்டமுடையவராயிருக்கிறார். ஏனென்றால், ஜனங்களின் சுபாசுபங்கள் தெரிந்தவராதலால் அவரது முதல் டயத்திலேயே இதைக்கொண்டு வந்திருக்கிறார். இந்த அபிப்பிராயத்தை இந்த ஹவுஸ் பூராவாக ஆதரிக்குமாதலால் அதில் சில அபிப்பிராயத்தை என் அனுபவத்திலிருந்து சுருக்கமாக தெரிவித்துக் கொள்ள எண்ணுகிறேன்.

"மோட்டார் என்பதில் இருவகை இருக்கவேணும். வியாபாரத்திற்காக வாடகைக்கு விடுபவர்கள் ஒன்று. சொந்த உபயோகிக்கிறவர்கள் ஒன்று. இதில் வாடகைக்காரர் சம்பந்தம் எப்படி என்றால், பல கம்பெனிக்காரர்கள் போட்டிக்கு ஏற்பட்டு வண்டிகளை கடனுக்கு அதிக விலை போட்டு கொஞ்சம் கொஞ்சமாக இன்ஸ்டால்மெண்டாக செலுத்தும்படி கொடுத்து அதுவும் சரியாய் செலுத்தமுடியாதவர்களிடம் அந்த காரை திருப்பி எடுத்து திருப்பி வாங்கிய விலையிலும் குறைத்துக் கொடுத்தும், இது வியாபார சாதுர்யம். பல பேரை இந்த வியாபாரம் செய்யும்படி அநேகவித உபாயங்களுடன் துபாஷ்கள் ஏற்படுத்தி நடந்துவருவதில் அவர்கள் காரை வாங்கி ஏழைகள் முதல் காரில் ஏறிச் செல்லும்படியான மார்க்கங்களை காட்டுவதானது ரயில்வே லயன் போட டிராபிக்கை கணக்கு எடுத்துப் பார்த்து ஏற்படுத்தவேண்டிய அவசியமில்லாது ரயில்வே லயன்கள் ஏற்பட ஏதுவாகிறது. இந்த நிலைமையில், அநேக கார் காரர்கள் ஆறுமாதத்திற்கு ஓட்டுவதில்லை. ஆதலால், டோல்கேட் வரியானது நடந்தவரை அன்றாடகம் கொடுப்பது தோணுது. இப்போதிய யோசனை ஆரம்பத்திலே மொத்தமாக நூற்றுக்கணக்காக தொகை வசூலிக்கவேண்டியதாதலாலும் கார் கிரயங்கள் முற்காலத்தை பார்க்கிலும் வரவா ரொம்ப சீப்பஸ்டாயும் பிரபுக்கள்மட்டுமல்லாது எல்லாரது பணங்களையும் பறிக்க ஹேதுவாக மிஷின்களையும் குறைத்து சிறிய விலைக்கு கிடைப்பதாலும் மூன்று மாதத்திற்கு ஒருதரம் லைஸென்ஸ் பீஸ் ஏற்படுத்த வேண்டும். ஷெட்யூலில் இந்த தாரணை வேறாக இருக்க யோசிக்க வேண்டும்.

"சொந்தமாக கார் உபயோகிக்கிறவர்களைப்பற்றி யோசிப்போம். பெரும்பால் அவர்களது நிலைமைக்கு மோட்டாரே வேண்டுவதில்லை. அவர்களது அவசியத்திற்கானால் அடுத்தவர்களை பார்த்து நாமும் அவ்விதம் செய்யத்தான் வேண்டும். நமது தேசப்பணங்களையெல்லாம் மோட்-

27th January 1931] [Mr. P. C. Muthu Chettiyar]

டார் வந்தே கொண்டுபோய்விட்டது. அப்பணங்களை பிரபுக்கள் பூரு சார்தத்தில் விரயஞ் செய்திருந்தால் அதன் பலன் ஒப்பிடமுடியாதிருக்கும். இந்தவித செலவுக்குரிய மோட்டாரை நமது ஜம்பத்தினாலும் நமக்கு கார் போராமல் பிள்ளைகளுக்கு வேறு, அம்மாள்கள் காற்றுக்கு போய்வர வேறு, விருந்தினர் வந்தால் அவர்களுக்கு வேறு. சகோதரர்களுக்கு சொல்லவேணுமா. இதுமட்டும் அல்லாமல் இத்தனை அவசியம் கற்பித்துக் கொள்வது போராதென்று மோட்டார் தரகிரிகளால் கார்களின் பேர்களைப்பற்றியும், கலர்களைப்பற்றியும், ஸ்பிரிங்கைப்பற்றியும் மோகிக்க செய்தும் அதற்காக வாங்குகிற காரையும் பார்த்தால் இந்த அக்கிரமத்தில் நானும் சேர்ந்திருந்தாலும் நான் என்ன சொல்லலாம். ஆகையால், இவர்கள் விஷயத்தில் ஷெட்யூல் தாரணை ஒருவிதமாயும் இருக்க வேணும்.

"இதில் இரண்டு கண்ட்ரோல் கூடாது. முனிசிபல், லோகல் போர்டு, இரண்டுக்கும் ஒன்றாக வசூலித்து டிபார்ட்மெண்டாரால் பிரிவினையிருக்கவேணும். பஞ்சாயத்துகாரர்களுக்கு கிராமாந்தரங்களில் எந்த விதத்திலும் வரி ஏற்படுத்துகிற சுதந்திரம் இருக்கப்படாது. ஏனென்றால், அநேக இடங்களில் சில வகுப்பினர்களுக்கு குணங்கள் நிறையாமல் மாஜிஸ்ட்ரேட்டுகளுக்கு தங்களை தெரிந்துகொள்ள கருத்து உடையவர்கள் ஆதலால் இன்னும் அவைகள் சரியான நிலைமைக்கு வரவில்லை.

"விவசாயிகளுக்கும் விவசாயத்திற்கு உரியதுமான கார் வகையறாக்களுக்கு பிரீயாகத்தானிருக்கவேண்டும். ஏனென்றால், ஒவ்வொரு கிராமமும் ஒவவொரு மூட்டையை தூக்கி சுமந்து இழுத்துவரவேண்டிய சொல்ப தூரங்களும் டிரங்கு ரோட்டில் நீண்ட தூரம்வரினும் அதை மறக்கமுடியாது. அந்த விஷயம் சமீபத்தில் நிவர்த்திக்கமுடியாக. ஆனரபிள் மினிஸ்டர் இதுவரை பக்ஷணங் கொடுத்தமாதிரி வில்லேஜ் ரோடுகளுக்கு டிஸ்ட்ரிகட் போர்டுகளிடம் கொஞ்சம் தொகை கொடுப்பதும் தாலூகா போர்டுகள் எச்சரிக்கையாயிருந்து கிடைத்ததை வாங்கி விரயஞ் செயவதும் முடிந்த காரியமல்ல.

"ஆனரபிள் மினிஸ்டர் ஏராளமாக வில்லேஜ் ரோடுக்கென்று தாலூகாவாரியாக கேட்டு கொடுத்து பூர்த்தியாக யடைந்த மேல் கிராமவாசிகள் விவசாயிகளுக்கு வரி யேற்படுத்தலாம். அதற்காக யாரேனும் பெரிய உத்தியோகத்தில்கூட நியமிக்கலாம்.

"ஆதலால் இப்போது அவைகளுக்கும் பிரீயாக இருக்கும்படி சிலக்ட்டு கமிட்டிக்கு தெரிவிக்க வேணுமாயும் விரும்புகிறேன்."

* Diwan Bahadur M. Gopalaswami Mudaliyar:—"As one interested and having been in charge of local bodies in my district for a long time, I know the levy of tolls is felt very much by the ryots. They have always been petitioning for the abolition of toll-gate fees altogether and my board have abolished some toll-gates. There is no use of abolishing a few toll-gates because it leads only to a fall in the income. What I specially want to bring to the notice of this House is this: now that the hon. the Chief Minister has been pleased to bring forward this Bill, I request that he will be pleased to push it forward as early as possible ; because we have received orders from the 3 p.m.

Government to sell the right of collecting fees at the toll-gates but not to confirm them without obtaining their sanction. In such circumstances we will find it very difficult to obtain bidders at the auction. So I request this House to see, if they approve of this Bill, that it is pushed forward and becomes law in the early part of March if not earlier. That is one representation that I wish to make.

"There seems to be some misapprehension whether this Bill is for the abolition of tolls on motors only or on all vehicles and as to whether any compensation is going to be made in connexion with the abolition of toll fees on these vehicles. I believe the object of this Bill is to abolish all kinds of tolls as the preamble shows. The hon. Minister was pleased to say, when he visited Bellary, that he intended to abolish all kinds of toll fees and that the various boards would be compensated for the loss of their income of toll fees on the basis of the average income of the last three years. Subject to confirmation by this Council as well as by the Select Committee I would once more urge the passing of this Bill at the earliest opportunity."

* Dr. P. Subbarayan :—"I am very glad that it has been possible for the hon. the Chief Minister to introduce this piece of legislation which originated with the report of the Road Development Committee. I contemplated the introduction of a similar measure when I was in office but it was not then possible to do it. Mr. James and I wanted to introduce a similar measure, but as the hon. the Chief Minister himself promised to introduce a measure we dropped the idea. In this connexion I think it is but right that I should pay a tribute to Mr. Hilton Brown who was complaining that I did not do as much as I ought to have to introduce a measure of this kind and who has taken a good deal of trouble in drafting this measure. I am glad that my successor has been able to introduce this measure, and I hope that the Select Committee will take into consideration some of the criticisms that have been made by some of the hon. Members of this House. I am glad also that the hon. the Chief Minister has stated in the statement of objects and reasons that the whole tax would be spent upon roads. I know there is a strong feeling that the users of motor vehicles even though they are paying tolls and licence fees do not get their money's worth. I am therefore glad to find that the hon. the Chief Minister is proposing to spend all the money that will be collected upon the motor vehicles upon the roads themselves as it is but right that the users of roads should get the maximum benefit out of the taxes they pay."

* Mr. S. N. Dorai Raja :—"My hon. Friend Mr. T. M. Narayanaswami Pillai was very strongly requesting the Government to see that the district boards are given a good deal of money by way of compensation for the loss sustained by them as a result of the abolition of toll fees altogether, because he let the cat out of the bag by observing that their services could not be otherwise paid. Every pie brought out of motor and other vehicles ought to be spent upon the roads and this kind of robbing Peter to pay Paul to put down which is the main object-

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with which this Bill is brought forward should go. It is no wonder, Sir, that the Trichinopoly District Board has the doubtful honour of possessing one of the worst bits of roads in this Presidency. (Mr. T. M. Narayanaswami Pillai—Question.) What is the use of these interjections and heroics, when what I say is a fact and I know what I am talking about (Laughter)? It is the duty of the Select Committee to see that vehicles that carry agricultural products from the villages to the town are fairly and leniently treated, and the roads leading to villages should be kept in fair repair. The municipalities ought to be very wary and should not allow their anxiety to get money to outrun their sense of fair-play and discretion. It is quite true that in the District Board of Trichinopoly and some other district boards motor vehicles play an adequate part in the use of roads, and as such the money collected on them should be spent for their benefit. But one thing I wish to impress upon the Select Committee is that they should find out whether the users of these roads who bring into the town agricultural produce and other general produce in their bandies and who also contribute a share to the revenues derived from toll fees should not get their money value. Therefore, I do urge that the Select Committee should consider over these matters and see that justice is done all round."

* The hon. Diwan Bahadur B. Muniswami Nayudu:—" Sir, I am indeed thankful to all hon. Members for the support they have given to the Bill. I have to answer one or two questions which have been raised by some hon. Members. First it was asked whether the income that may be got by the provincial tax on motor vehicles will be sufficient to compensate the local bodies and municipal councils. On the basis of the rates mentioned in Schedule II, Government have calculated—as far as information is available—as to what will be the income by the levy of this provincial tax, and they find that it will be sufficient to compensate the local bodies and municipal councils. I think this question will be carefully considered by the Select Committee. The question whether the rates are high or not will also be considered. All endeavours will be made to see that the rates are not unreasonably high or so low as to deprive the local boards and municipalities of the income they are now getting. 3-15 p.m.

" Another remark that was made is that it is not clear whether the whole income which the local boards are getting from tolls will be given to them or only a portion representing what they get from motor vehicles. Under the present system, the local bodies, the district boards and the taluk boards do not levy any vehicle tax. It is only the municipalities that levy vehicle tax in their areas. So far as the district boards are concerned, the income they get is the tolls they levy on motor vehicles and other vehicles. It is proposed to abolish all tolls and thereby the whole income the district boards are getting by the levy of tolls both on motor vehicles and non-motor vehicles will be secured to them. With regard to municipalities, they will get the entire income they are getting from tolls and that share of the vehicle tax income which they get by taxing motor vehicles only.

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"My hon. Friend from Ganjam, Mr. Patnaik said that, by the introduction of this Bill, there will be much annoyance by the police. I do not think that there is any need for entertaining such an apprehension. All that is provided is that a provincial tax would be levied on motor vehicles and the police would see that the tax is paid before the vehicles go on the road.

"Another apprehension that was raised was that panchayats will have the right to tax non-motor vehicles and that it might act as a hardship against the use of the roads for agricultural purposes. On that point I have to make only one remark. As the Local Boards Act now stands, there is a provision that panchayats can levy such taxes as, in their opinion, will be deemed to be convenient and the levy of these taxes will be subject to confirmation by the Government. Therefore what is stated is, under the present law as it stands, there is already power for the panchayats, if they should desire to do so, to introduce some kind of taxes upon carts within their areas. It need not be in the shape of tolls ; it need not be for every year ; it may be levied for a portion of the year. But anyhow, if any panchayats levy taxes which would be hard on the people, there is time enough to make representations to the Government and they will be carefully considered. This Bill does not contemplate giving a new power to the panchayat to tax. It is merely stated in the Statement of Objects and Reasons that the panchayats have this power and that the Government are not depriving these local bodies their income by abolishing tolls.

"Then, Sir, objection was raised that the Bill provides that the Government should have the power to distribute the proceeds of the provincial tax to the various local bodies. Having regard to the claims of various local bodies, I think that that is the only possible method. The question of creating a central authority for this purpose, if necessary, can be considered. Any suggestions of the Select Committee to make this system better, will certainly be considered by the Government.

"There were some observations with regard to the recent orders of the Government asking district boards, while selling toll-gates, not to confirm them until further orders are received from the Government.

"I am glad to see that there is a fairly strong opinion in the Council in favour of the Bill being taken up and passed into law as early as possible—if possible before the end of the present financial year. I am sure that, if the Select Committee would meet early and get through the Bill, it would be possible for the Council to consider the Bill and pass it into law as early as possible. It will entirely depend upon the way in which we proceed in the Select Committee, whether this Bill will be passed into law this year or put off. I rely upon hon. Members of this House to push through this Bill.

"I do not want to say anything more than paying my meed of praise—as was done by my hon. Friend, Dr. Subbarayan—to Mr. Hilton Brown for taking a lot of trouble in preparing this Bill. If I am

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able to introduce the Bill now, it is entirely due to the work done by him."

* The hon. the PRESIDENT:—"The question is that the Madras Motor Vehicles Taxation Bill, Bill No. 2 of 1931, be introduced and be referred to a Select Committee."

The motion was put and carried.

* The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I now move for the leave of the House to refer the Bill to a Select Committee consisting of more than 15 hon. Members under Standing Order No. 39 (2). The names of 26 hon. Members who will constitute the Select Committee have already been circulated, and I wish to add the names of four more hon. Members.

"The members of the Select Committee will be—

1. The Raja of Khallikote.
2. Rao Sahib Badeti Venkataramayya.
3. Mr. A. Kondappa.
4. Rao Bahadur S. Ellappa Chettiyar.
5. Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.
6. Mr. S. N. Dorai Raja.
7. Rao Sahib V. I. Muniswami Pillai.
8. Mr. M. S. Sreshta.
9. ,, Hilton Brown.
10. ,, A. Ranganatha Mudaliyar.
11. ,, C. Satyanarayana Choudhari.
12. Dr. P. Subbarayan.
13. Mr. Abdul Hameed Khan.
14. ,, G. Simhachalam Pantulu.
15. ,, M. A. Manikkavelu Nayakar.
16. ,, W. M. Browning.
17. ,, A. V. Banoji Rao.
18. ,, A. T. Luker.
19. ,, R. Foulkes.
20. ,, J. A. Davis.
21. Raja of Chemudu.
22. Diwan Bahadur M. Gopalaswami Mudaliyar.
23. Mr. V. P. Narayana Nambiyar.
24. ,, Sami Venkatachalam Chettiyar.
25. The Zamindar of Mirzapuram.
26. Sriman M. G. Patnaik Mahasayo.
27. Mr. Basheer Ahmed Sayeed.
28. ,, T. M. Narayanaswami Pillai.
29. ,, K. P. V. S. Muhammad Meera Ravuttar.
30. The Mover."

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I second it."

The motion was put and carried.